

3. By Order of October 6, 2017, Defendants Response to the Second Amended Complaint is due on or before October 26, 2017.
4. The undersigned is involved in preparation for a 4 to 5 day jury trial in Butler County, with Jury selection scheduled for October 16, and the first day of trial as October 23. Given the time issues, Defense Counsel requested that Plaintiff consent to an extension for the response due date. Plaintiff has NOT consented to an extension.
5. Additionally, Plaintiff has not served any of the Defendants brought into the suit after the filing of her original complaint. She has not, however, exceeded the time for service allowed by rule 4 (m) of the FRCP
6. The undersigned is unsure as to whether he would be assigned to represent the as of yet unserved Defendants, including all Defendants brought into the case after the filing of the original complaint. Those Defendants are “Unknown Board Members”, Kathy Manderino, Pennsylvania Bureau of Professional and Occupational Affairs, (BPOA), Suzanne Hetricks, Linda Kerns, Sherri Luchs and the Pennsylvania State Board of Nursing (BON)
7. Defendants believe and assert that Plaintiff should serve all of the unserved Defendants, thus allowing for all Defendants to be served, have counsel enter an appearance, and respond, conceivably by the undersigned, with a singular Motion.

WHEREFORE, Defendants request that the court grant their extension and reset the due date for the properly served defendants to response to Plaintiffs Second Amended Complaint to on or before December 15, 2017. Further, Plaintiff be ordered to prepare waiver of service of

summons forms for the unserved Defendants, and forward the same to unserved Defendants within 10 days.

Respectfully submitted,

JOSH SHAPIRA
Attorney General

By: /s/MICHAEL E. KENNEDY
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Date: October 12, 2017

Counsel for Defendants

Respectfully submitted,

Attorneys for Defendants,

/s/Michael E Kennedy
Michael E Kennedy
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CERTIFICATE OF SERVICE

I certify that a true and correct copy of this response to motion was served upon the Plaintiff on October 12, 2017, by first class US mail to her record address:

3342 west 12th street, Erie PA 16505.

Attorneys for Defendants,

/s/Michael E Kennedy
Michael E Kennedy
Deputy Attorney General
PA ID 52780